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12 **UNITED STATES DISTRICT COURT FOR THE**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 **CONTRA PIRACY, a non-profit) Case No.: C13-1133 EDL**
16 **Association, organized and existing)**
17 **under the laws of Switzerland, and)**
18 **Assignee of the copyright in "All Things)**
19 **Fall Apart", a motion picture)**
20 **Plaintiff,)**
21 **v.)**
22 **DOES 1 – 2919,)**
23 **Defendants.)**
24 _____

25 Attached here are the "Member Services Agreement" between Contra Piracy and
26 Hannibal Inc.d/b/a Hannibal Pictures and the Contra Piracy Statutes, referred to in the Member
27 Services Agreement, in response to the Court's Order of June 21, 2013.
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30 Respectfully submitted,
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32 CONTRA PIRACY

33 **DATED:** June 24, 2013

34 By: /s/ Boden Davidson
35 Boden Davidson, No. 266119

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38 **NOTICE OF FILING OF DOCUMENTS IN RESPONSE TO COURT'S ORDER - Case No:**
39 **C13-1133 EDL**

APPLICATION RIGHTS MANAGEMENT BY CONTRA PIRACY



Application for the Rights Management Scheme in accordance with section VI. of the statutes („the Statutes“), addressed to the President of CONTRA PIRACY - Worldwide Association for intellectual property („Contra Piracy“), Sennweidstrasse 45, 6312 Steinhhausen, Schweiz.

Company of Applicant:	HANNIBAL INC. dba HANNIBAL PICTURES
Name, Surname (of Representative):	Richard Rionda Del Castro
Address:	8265 Sunset Blvd. # 107
Area Code, Place:	West Hollywood, CA 90040 USA
Commercial Register:	
VAT No.:	N/A
Phone:	323-848-2945
E-Mail:	hayley@hannibalpictures.com
Membership No.:	

1. Ownership of Rights

The Applicant holds the exclusive rights to the film titles („the Titles“) listed in Appendix 1 in the listed territories („the Territories“), including, but not limited to, the respective right of reproduction, the right of distribution and the right of public broadcast and communication. Appendix 1 is herewith expressively acknowledged as forming part of this application at its approval.

2. Rights Management by Contra Piracy

The applicant hereby applies for the Contra Piracy Rights Management Scheme in accordance with section VI. of the Statutes meaning that Contra Piracy will have the right to assert claims in the Territories arising from the rights to the Titles and according to the principles of a representative action if legally permitted or by other legal means. The Statutes, in particular section VI., are herewith expressively acknowledged as forming part of this application.

The member will receive 45 percent of income.

APPLICATION RIGHTS MANAGEMENT BY
CONTRA PIRACY



I hereby declare that the information given above is both complete and correct. I acknowledge that any deliberate false statement could lead to the rejection of my application and to my liability to possible damages. I hereby also declare that I have acknowledged and understood the Statutes (see Appendix) and that I accept the Statutes.

Place/Date: West Hollywood, CA USA, November 13, 2012

Signature of Applicant: 

3. Application Approval and Agreement on Member's Share of Income in accordance with Art. 30 b) of the Statutes

The member's application for the Rights Management Scheme is hereby approved.

The member will receive 40% percent of Income (see Art. 30 b of the Statutes).

Place/Date: 

Signature Contra Piracy (authorized representative): 

Place/Date: West Hollywood, CA USA, November 13, 2012

Signature of Applicant: 

„Contra Piracy“ - Membership Application

Worldwide Association for intellectual property



1. Member Categories

Admission can be granted to the following individuals/legal persons:

- a. Rights holders of Intellectual Property Rights, including, but not limited to, copyrights, ancillary copyrights, trademark and patent rights;
- b. Online-Content-Providers;
- c. Internet-investigation services Providers;
- d. Professional mystery shoppers;
- e. Internet Service Providers as well as IT-fabrication and related services companies;
- f. Patrons;
- g. Independent experts who have been explicitly acknowledged by Contra Piracy and stakeholders.

Honorary and Free members

- h. Members or individuals who make outstanding contributions to the Association, may be appointed as honorary or free members by the Association. Honorary members are exempted from the annual membership payment.

2. Membership

Members Annual fee:

The annual fee for membership amounts € 500.00 each year of membership and is payable in advance each year of membership. The amount is reviewed annually by the listed below Debit-Account automatically. Date is the date of application.

Duration and Termination:

The minimum membership is 12 months. Termination or modification of the membership has to submit 6 weeks before end of a quarter in writing to the board. The already paid membership fee is not refundable.

„Contra Piracy“ - Membership Application

Worldwide Association for intellectual property



3. Required Information

a. I hereby apply

on my own behalf or (delete as appropriate)
 on behalf and with full authority of my company
 for a membership of the category (see above No. 1 a) to i) 1a
 in „Contra Piracy“.

b. Personal/Company Details

Company of Applicant:	HANNIBAL INC. dba HANNIBAL PICTURES
Name, Surname:	Richard Rionda Del Castro
Address:	8265 Sunset Blvd., Suite 107
Postal Code, Location:	West Hollywood, CA 90046
Country:	USA
Phone (incl. Area Code):	323-848-2945
Fax (incl. Area Code):	323-848-2946
E-Mail:	hayley@hannibalpictures.com
Website:	www.hannibalpictures.com
VAT No.:	N/A
Commercial Register:	
Name of CEO/Managing Director (if applicable)	Richard Rionda Del Castro
Bank Account No.:	[REDACTED]
Bank Code:	[REDACTED]
IBAN:	[REDACTED]

„Contra Piracy“ - Membership Application

Worldwide Association for intellectual property



I hereby declare that the information given above is both complete and correct. I acknowledge that any deliberate false statement may lead to the rejection of my application. I hereby also declare that I have acknowledged and understood the Statutes of the Association (see Appendix) and that I accept the Statutes.

Signature:

(of a fully authorized representative if applicable)

November 13, 2012

Date:

STATUTES

Contra Piracy
Worldwide Association for intellectual property



President:
Rolf Schudel
Sennweidstrasse 45
6312 Steinhausen
Switzerland

I. Name, Residence and Purpose

Art.1 Name:

The association consists under the name **CONTRA PIRACY - Worldwide Association for intellectual property (Contra Piracy - Weltweiter Verband für geistiges Eigentum)** – also: „the Association“) according to the principles of Art.60ff. of the Swiss Civil Code.

Art.2 Residence:

The Association exists since its founding on 14.05.2009 and has its main residence in Steinhausen, Kanton Zug, Switzerland.

Art.3 Purpose:

The Association has the following purposes:

Promotion of Interests of Intellectual Property Rights Holders

- a. to sustainably protect and to promote the professional, social and economic interests of those members, who are holders or administrators of Intellectual Property rights (e.g. copyright, ancillary copyrights, trademark and patent rights);
- b. the purpose (Art. 3a) is also achieved by providing and procuring legal advice with regards to the aforementioned rights;
- c. In order to prevent the violation of Intellectual Property rights of its members the Association will provide comprehensive information and Public Relations services in a joint effort with its cooperation partners and other associations.
- d. to promote solidarity and a loyal competitive behavior through mutual debate, cohesion and professional support;
- e. to promote the exchange of contacts and experiences among national and international holders of Intellectual Property rights;

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Promotion of Interests of Businesses from the Online Content Sector

- f. to sustainably protect and promote the professional, social and economic interests of those members offering digital content to consumers for payment. In this context, the Association offers preventive actions and enforcement against Online-fraud and payment default to its members.

Promotion of Interests of Internet Investigation Companies

- g. to sustainably protect and promote the professional, social and economic interests of those members offering Internet Investigation services;
- h. to promote solidarity and a loyal competitive behavior through mutual debate, cohesion and professional support;
- i. to promote the exchange of contacts and experiences among national and international Internet Investigation Companies;

II. Membership

Art.4 Member Categories:

Admission can be granted to the following individuals/legal persons:

- a. Rights holders of Intellectual Property Rights, including, but not limited to, copyrights, ancillary copyrights, trademark and patent rights;
- b. Online-Content-Provider;
- c. Internet-Investigation services Provider;
- d. Individuals who are professional mystery shoppers;
- e. Internet Service Providers as well as IT-fabrication and related services companies;
- f. Patrons;
- g. Independent experts who have been explicitly acknowledged by the Association and stakeholders.

Honorary and Free Members

- h. Members or individuals who make outstanding contributions to the Association may be appointed as honorary or free members by the Association. Honorary members are exempted from the annual membership payment.

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III. Admission, Departure, Expulsion, Membership Fees

Art.5 Admission:

The application for admission must be addressed to the President of the Association in written form. The Executive Committee may reject applications for admission without any further reasons. The decision of the Executive Committee is final. The Executive Committee decides if admission is granted to the applicant.

Art.6 Departure:

Departure from the Association is possible at the end of each calendar year subject to a three months prior written notice addressed to the President. The membership also ends by death of the member.

Art.7 Expulsion:

The Executive Committee may expel a member that has or may cause damage to the reputation of the Association or a member that does not fulfill its statutory obligations and still fails to fulfill these obligations after a reminder has been given.

Art.8 Membership Fees:

Departed or expelled members are not entitled to the reimbursement of already paid membership fees. The member is obliged to pay the membership fee at the amount based on the member's overall time of membership. Any application for admission, including cases of rejection, is subject to charges.

IV. Rights and Obligations

Art.9 Voting Right:

Those members admitted to the Association are entitled to a voting right at the General Assembly.

Art.10 Annual Membership Fee:

Every member is obliged to pay an annual membership fee. The amount and structure of the membership fee is set by the General Assembly.

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Worldwide Association for intellectual property



V. Organisation and Management

Art.11 Bodies of the Association:

The Bodies of the Association are:

1. The General Assembly
2. The Executive Committee
3. The Accounting Revision Office

Art.12 General Assembly:

The ordinary General Assembly is called up by the Executive Committee and will be held annually. The extraordinary General Assembly may be called up by the President or by request of one third of the members. The invitation is made via 14 days prior written notice through a closed envelope, fax or E-Mail. The invitation shall include a list of the items of the agenda.

Art.13 Quorum of the General Assembly:

Resolutions of the General Assembly require the simple majority of all present eligible votes. Amendments of the Statutes require three quarters of all present eligible votes.

Art.14 Competencies of the General Assembly

1. Approval of the minutes, of the annual report and the annual financial statement
2. Approval of the Revision Report and support to the Bodies of the Association
3. Election of the Executive Committee, of the Accounting Revision Office and the President
4. Setting of the Membership Fees
5. Resolutions on other requests

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Art.15 Chair of the General Assembly:

The General Assembly is chaired by the President. In case of the President's absence, the assembly is chaired by an Executive Board Member.

Art.16 Majority of Votes:

The General Assembly makes its resolutions by the simple majority of all present eligible votes. In the event of a tie, the chairman has the casting vote. The chairman abstains from all other votings.

Art.17 Executive Committee:

The Executive Committee consists of the President, the Country Representatives and at least two other members. After a two year term, members of the Executive Committee may stand for re-election. With the exception of the President, the Executive Committee constitutes itself and appoints in particular the Actuary and the authorized signatories.

Art.18 President:

The President runs the business of the Association. He oversees the association's matters and calls up the Executive Committee if necessary. In urgent cases he has the right to initiate resolutions of the Executive Committee via circular letter. The President has sole signature.

Art.19 Country Representatives

The Country Representatives represent the Association to the outside. They possess legally binding single signature authority and carry out administrative as well as representative duties on behalf of the Association.

Art.20 Actuary:

The Actuary administers the member registry and the correspondence.

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Art.21 Cashier:

The Cashier is responsible for the financial transactions. He must properly keep the accounts and presents the annual financial statement and the annual budget to the General Assembly. He lets the Revision Office review all relevant records, the cash desk and the receipts at all times if required. The Cashier possesses legally binding collective signature with a board member for the Association.

Art.22 Revision of Accounting

Revision of Accounting is handed over to a competent member. This expert has the right to supervisory control with regards to the Cashier's activities at all times.

Art.23 Protocol:

A member of the Executive Committee must keep the minutes of the General Assembly. During the Executive Committee's meetings the member also keeps the minutes on the Executive Committee's resolutions.

Art.24 Required Quorum of Executive Committee:

The Executive Committee has a quorum if the majority of its members is present. In the event of a tie, the chairman has the casting vote.

Art.25 Expenses:

Members of the Executive Committee and other members carrying out tasks assigned to them by the Association will at least receive a reimbursement of their related expenses if the relevant receipts and invoices are provided.

Art.26 Financial Literacy:

The President and the Executive Board has right of disposal for unforeseen costs to € 5,000-, which are not included in the annual budget. Exceptions are the services under Art. 29 ff.

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Art.27 Liability:

Only the Association is liable for the Association's obligations. Any personal liability of the members for the Association's obligations is excluded.

VI. Intellectual Property Rights Management Scheme

Art.28 Rights Management:

- a. Members of the Association according to Art. 4 a), b) may apply for the Intellectual Property Rights Management Scheme. Rights and claims will be asserted by the Association worldwide and in accordance with the principles of representative action or by other legal means if permitted under the respective law of the territory.
- b. Activities of the Association in accordance with Art. 28 a) and under this section require a written application of the member addressed to the President. The Executive Committee may reject this application without giving any further reasons. The decision of the Executive Committee is final. The Executive Committee may also decide to cease the Association's actions on behalf of the member according to Art. 28 a) and under this section, in whole or in part, at any time after the approval of the application without giving any further reasons. This decision of the Executive Committee is also final. Art 29 c) and Art30 c) remain unaffected
- c. During the Association's activity in accordance with Art. 28 a) and under this section, the member will not assert claims arising from rights included in the Rights Management Scheme, in and/or out of court, at its own discretion and/or will assign third parties to do so.
- d. After the approval of the application the member has to provide all information and documents ("the Documents") required for activities under the Rights Management Scheme, including, but not limited to, a constantly updated list of the relevant titles and according rights („Appendix 1“), all relevant license agreements, the relevant digital files of the titles and appropriate evidence on the ownership of rights. The Documents will be treated confidentially and will solely be used by the Association for the purpose of fulfilling the tasks according to Art. 28 a) and under this section. After the end of the membership the Documents will be handed out to the member or destroyed at the member's discretion.
- e. The respective member will indemnify and hold harmless the Association, its bodies, representatives, employees, agents and contractors from all claims, actions, suits, liabilities, damages and expenses which third parties may assert against them related to a missing ownership of rights and/or incorrect and/or incomplete information provided by the member according to Art. 28 d). This also includes the necessary costs for legal defense and prosecution.

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Art. 29 Debit Authorization and Assignment of Internet Investigation Companies, other Service Companies and Attorneys:

- a. The member will provide the Association with a comprehensive and revocable power of authorization in order to perform its tasks in accordance with Art. 28 a) and under this section. The Association will in particular be provided with a debit authorization in order to assert the claims for injunctive relief and compensation on behalf of the member. Furthermore, the Association will be entitled to assert the relevant claims arising from the rights listed and approved by the member in the Rights Management Scheme in accordance with the principles of representative action or by other legal means, in and out of court, if legally permitted under the law of the respective territory.
- b. The Association may assign an Internet Investigation Companies or service provider, or a member under Article 4 of its choice in order to investigate or prevention possible violations of the rights approved by the member for the Rights Management Scheme. Furthermore, the Association is entitled to assign debt collection companies and/or law firms of its choice in order to prosecute the rights violations in and out of court.
- c. The Association will provide the member with a monthly reporting on its activities on behalf of the member under this section.

Art. 30 Costs and Income:

- a. The Association bears all the costs and the associated risk of the assignments in accordance with 28 a), 29 a) and 29 b). The Association is entitled to assert claims for compensation against the respective liable individual, in and out of court.
- b. Income generated from asserted claims arising from the Rights Management Scheme is primarily used to cover the costs arising from activities in accordance with Art. 29 a) and b) and/or other expenses. Income is defined as the sum paid in favor of the respective member from an out-of-court settlement with the alleged infringer („Income“). The respective member is entitled to a share of the Income. The amount of the Income to which the member is entitled to is subject to an individual agreement of the Association with the member at the time of application for the Rights Management Scheme. The amount of the share is in particular dependent on the associated cost risks of the Association and the relevant law.
- c. Billing to the member is carried out on the 15th of every month.

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VII. Financial Matters

Art. 31 Income of the Association

The Income of the Association consists of:

- a. Handling Fees;
- b. Membership Fee;
- c. Voluntary Financial Support;
- d. Fees from consulting and placement services
- e. Activities of the Association according to Art. 28 ff.

Art. 32 Expenditures:

As approved by the General Assembly and accordance with Art. 25 and Art. 26.

VII. Dissolution

Art.33 Dissolution:

The dissolution of the Association may only be decided by a General Assembly which has solely been called up for this purpose. The dissolution requires at least two third of all present eligible votes. If a decision for dissolution cannot be reached in accordance with the aforementioned quorum, the majority of all present eligible votes may request to call in a new General Assembly within 4 weeks. A dissolution then requires the simple majority of all present eligible votes.

Art.34 Funds:

A liquidation commission is to be appointed at the time of decision on dissolution. A final General Assembly will decide on the utilization of the remaining funds, if any.

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Art.35 Enactment:

After the General Assembly Council Decision on 30.05.2012, the above Statutes replace all foregoing Statutes. They shall come into force with immediate effect following the President's signature.

Steinhausen, May 30th 2012

The President

Rolf Schudel

The Actuary

Richard M. Schneider

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, and service is effectuated by transmission of Notices of Electronic Filing generated by CM/ECF to all counsel of record and pro per parties authorized by the Court to use CM/ECF.

By: /s/ Boden Davidson
Boden N. Davidson, #266119